

PROB 12C
(6/16)

Report Date: August 27, 2024

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Aug 27, 2024**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Shafer Hepburn

Case Number: 0980 2:17CR00241-TOR-1

Address of Offender: [REDACTED], Spokane Valley, Washington 99037

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: June 22, 2010

Original Offense: Distribute and Possess with Intent to Distribute Cocaine Base, 21 U.S.C. § 841(a)(1) and 841(b)(1)(c); Felon in Possession of a Firearm, 18 U.S.C. § 922 (g)(1)

Original Sentence: Prison - 168 months Type of Supervision: Supervised Release
TSR - 72 monthsRevocation Sentence: Prison - 8 months
(March 28, 2022) TSR - 24 months

Asst. U.S. Attorney: Daniel Hugo Fruchter Date Supervision Commenced: October 14, 2022

Defense Attorney: Carter Liam Powers Beggs Date Supervision Expires: October 13, 2024

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 06/28/2024, 07/22/2024, and 08/08/2024.

On October 18, 2022, the probation officer reviewed the conditions of supervised release with the offender and he signed said conditions acknowledging an understanding of his requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition #5: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The offender is alleged to have violated special condition number 5, by failing to submit to urinalysis testing at Pioneer Human Services (PHS) on August 9, 2024.

The probation officer received email correspondence from PHS indicating Mr. Hepburn failed to report to their facility for urinalysis testing on August 9, 2024.

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- 14 **Special Condition #5:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The offender is alleged to have violated special condition number 5, by ingesting a controlled substance, marijuana, on or about August 12, 2024.

On August 12, 2024, the offender submitted a urine specimen at PHS that returned presumptive positive for marijuana. At that time, he signed a denial form indicating he had not used marijuana.

Based on Mr. Hepburn's denial of use, the probation officer requested an interpretation report to determine if the above-referenced urinalysis test was due to new use of marijuana. According to Alee Toxicology Services, it was determined that Mr. Hepburn reused marijuana after his last submitted urinalysis test on July 26, 2024.

On August 27, 2024, the offender informed the probation officer that he has not used marijuana since July 28, 2024.

- 15 **Standard Condition #5:** You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

Supporting Evidence: The offender is alleged to have violated standard condition number 5, by failing to reside at his approved residence. Further, he failed to notify the probation officer of his change in residence.

On August 26, 2024, the probation officer was contacted by the manager of the clean and sober residence where Mr. Hepburn was authorized to reside. He informed the undersigned that the offender has not resided at the residence since August 9, 2024, nor had he paid his rent for August 2024. As such, he was terminated from the clean and sober housing program on August 26, 2024.

It should be noted, the Honorable James A. Goeke, U.S. Magistrate Judge, released Mr. Hepburn from custody on August 1, 2024, with the condition that he reside in clean and sober housing.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 27, 2024

s/ Lori Cross

Lori Cross
U.S. Probation Officer

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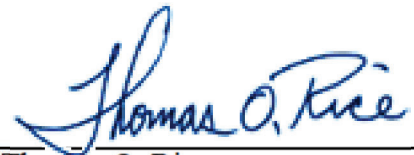
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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge

August 27, 2024

Date